

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

DR. JOSEPH CICCIO, <i>et al.</i> ,	)	
	)	Civil Action No.: 3:19-cv-00845
Plaintiffs,	)	
	)	Judge Aleta A. Trauger
v.	)	
	)	
SMILEDIRECTCLUB, LLC., <i>et al.</i> ,	)	
	)	JURY DEMAND
Defendants.	)	

**DEFENDANT’S MOTION TO COMPEL  
ARBITRATION OF DANA JOHNSON’S CLAIMS**

Defendant SmileDirectClub, LLC moves the Court to compel Plaintiff Dana Johnson to arbitrate his claims as required by the agreement between the parties and the Federal Arbitration Act. SmileDirect further moves the Court to stay proceedings on those claims pending arbitration. Mr. Johnson agreed to be bound by the terms of the agreement between the parties, which contained a clear and conspicuous arbitration provision. Now that Mr. Johnson is (again) a party to this case, the question of whether he has agreed to arbitrate his dispute is squarely before the Court. Respectfully, this Court should compel arbitration.

SmileDirect submits a memorandum and the Declaration of Elizabeth Gonser, with exhibits, in support of this Motion.

Respectfully submitted,

/s/ John R. Jacobson

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served via the Court's ECF Filing System this 8th day of June, 2020.

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